

REMARKS

This application has been reviewed in light of the Office Action dated October 29, 2003. Claims 1, 2, 6, 7, 15, 16, and 26-33 are presented for examination, of which Claims 1, 6, 15, 28, and 31-33 are in independent form. Claims 3-5, 8-14, and 17-25 are the subject of a restriction requirement, and therefore have been canceled, without prejudice or disclaimer of their subject matter. Claims 1, 2, 6, 7, 15, and 16 have been amended to define still more clearly what Applicant regards as his invention. Claims 26-33 have been added to provide Applicant with a more complete scope of protection. Favorable reconsideration is requested.

The Office Action states that the title of the invention is not descriptive. The title has been amended to read as follows:

--IMAGE READING APPARATUS SELECTIVELY CONNECTABLE TO  
IMAGE FORMING APPARATUSES VIA A NETWORK--.

Applicant respectfully submits that the title, as amended, is clearly indicative of the invention to which the claims are directed.

Claims 1, 2, 6, 7, 15, and 16 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,579,126 (*Otsuka*).

As shown above, Applicant has amended independent Claims 1, 6, and 15 in terms that more clearly define what they regard as their invention. Applicant submits that these amended independent claims and new independent Claims 28 and 31-33, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 1 is an image reading apparatus connected to a plurality of image forming apparatuses. The image reading apparatus

transmits an image signal representing an image to one of the plurality of image forming apparatuses. The image reading apparatus includes selection means, determination means, input means, transmitting means, reception means, and control means. The selection means selects one of the plurality of image forming apparatuses. The determination means determines whether or not the selected image forming apparatus requests input of management information relating to a user. The input means inputs the management information in accordance with a result of the determination by the determination means, and the transmitting means transmits the inputted management information to the selected image forming apparatus. The reception means receives a result from the selected image forming apparatus of a determination authenticating the management information. The control means controls reading of the image and transmission of the image signal representing the read image to the selected image forming apparatus, in accordance with the received result of the determination from the selected image forming apparatus.

Among other important features of Claim 1 are determining whether or not the selected image forming apparatus requests input of management information relating to a user, receiving a result from the selected image forming apparatus of a determination authenticating the management information transmitted to selected image forming apparatus when that apparatus requests the management information, reading the image, and transmitting the image signal representing the read image to the selected image forming apparatus, in accordance with the received result of the determination authenticating the management information from the selected image forming apparatus.

*Otsuka* relates to a facsimile apparatus which is linked to a local area network including two or more personal computers and operates on the local area network as a facsimile

server for transmitting of document files. The *Otsuka* system records the sending history of a user of a facsimile apparatus and only sends password information to the facsimile apparatus and not to a reception station of the document files. In the *Otsuka* system, there are three types devices, a source station (one of a plurality of personal computers and/or an external station), a facsimile apparatus 50, and one of a plurality of reception devices.

The Examiner asserts that the *Otsuka* facsimile apparatus 50 corresponds to the image reading apparatus of Claim 1, and that the *Otsuka* facsimile apparatus 50 selects one of a plurality of source stations (Column 8, lines 10-18, and Column 8, lines 9-15<sup>1</sup>). Column 8, lines 10-18, refers to a case in which a user on one of a plurality of personal computers (source station) issues a transmission request to the facsimile apparatus 50. The facsimile apparatus requests the user to enter a password and an identification of a reception station for the document. That is, the user at the source station selects the reception station to which the document set to the scanner unit 6 of the facsimile apparatus is to be sent, not the facsimile apparatus 50 (Column 8, lines 7-10). After the reception device is selected by the user of the source station, the facsimile apparatus calls the reception station to establish a transport connection between the facsimile apparatus and the reception station.

In the case described at Column 9, lines 9-15, a document from an external station (source station) is received on the facsimile apparatus and the user is notified of reception of the document on a prescribed reception station. The document received document file is addressed to a specific one of the plurality of personal computers (Column 8, line 62, to Column

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<sup>1</sup>/Applicant assumes the Examiner meant to cite Column 9, lines 9-15, because the "source station" is not referred to at Column 8, lines 9-15.

9, line 4). Accordingly, it is not the facsimile apparatus that selects the reception device, rather selection is made by the received document.

However, nothing has been found in *Otsuka* that would teach or suggest the image reading apparatus selecting one of a plurality of image forming apparatuses.

Further, the Examiner equates the image forming apparatus of Claim 1 with the source station of *Otsuka*. However, the image forming apparatus of Claim 1 receives an image signal representing an image from the image reading device. Thus, the image forming apparatus is a destination apparatus, equivalent to a reception station, and not a source station. In *Otsuka*, the source station is one of a plurality of personal computers that issues a transmission request or an external station that transmits a document to the facsimile apparatus 50.

The Examiner takes the position that the software of *Otsuka*'s facsimile device corresponds to the determination means of Claim 1. Citing the portions of *Otsuka* relating to manual reception of a document from an external station, i.e., source station, the Examiner notes that the facsimile machine sends a response signal (Step 401) to a source station over a telephone line in response to a calling signal. Under the Examiner's interpretation, this response signal "is relating to a user because it is a request for the systems to perform pre-transmission procedure such that the user can use the system". Office Action at page 5.

However, *Otsuka*'s response signal is merely part of the normal handshake procedure between the facsimile machine and the source station. There is no teaching or suggestion that the response signal contains information relating to a user, much less management information relating to a user, as recited in Claim 1. Moreover, the pre-transmission procedure is initiated by *Otsuka*'s facsimile device, not the source station receiving the response signal. Thus, the response signal cannot reasonably be characterized as a "request

for the systems to perform pre-transmission procedure,” as the Examiner asserts. Still further, the source station of *Otsuka* cannot be equated to the image forming apparatus of Claim 1 for the reasons stated previously.

Even assuming, *arguendo*, that the response signal corresponds to management information relating to a user, the Examiner has not identified any structure in *Otsuka* for determining whether or not input of management information relating to a user is to be requested by the image forming apparatus, as recited in Claim 1. In fact, it is clear that *Otsuka*’s response signal is not input – it is generated by the facsimile device. *A fortiori*, no determination is made in *Otsuka* as to whether or not input of the response signal is to be requested.

Further, the Examiner at page 5 of the Office Action asserts that the facsimile apparatus 50 is part of the reception station. Applicant strongly disagrees. As discussed at Column 8, lines 11-19, the facsimile apparatus 50 calls the reception station over a telephone line (see Figure 1) and establishes a transport connection between the facsimile apparatus and the reception station over the telephone line. That is, facsimile apparatus 50 does not form part of the reception station. Similarly, in the case where the document is received from an external station, after reception by the facsimile apparatus, the facsimile apparatus transfers the document to a reception station (one of the plurality of personal computers (Column 9, lines 46-52)).

Furthermore, nothing has been found in *Otsuka* that would teach or suggest receiving a result from the selected image forming apparatus of a determination authenticating the management information transmitted to selected image forming apparatus when that apparatus requests the management information, as further recited in Claim 1. As noted previously, the facsimile apparatus requests a user password from the user of the source station, but this password is not transmitted to the reception station, i.e., the receiving side of the

document. Because the receiving station does not receive the user password, nothing has been found in *Otsuka* that would teach or suggest receiving a result from the selected image forming apparatus of a determination authenticating the management information.

More fundamentally, it appears that the Examiner has dissected the claims into a series of fragmented words and phrases without regard to their proper context. The Examiner attempts to match these claim fragments to various portions of the cited reference, but seems to ignore entire portions of the claims in so doing. This is improper, as “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.” MPEP § 2143.03 (quoting *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970)). Moreover, in order for a reference to anticipate a claim, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” MPEP § 2131 (quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)(emphasis added)). For at least the reasons discussed above, it is respectfully submitted that the Examiner has not found in *Otsuka* the “identical invention . . . in as complete detail” as that of Claim 1.

For at least the above reasons, Applicant submits that Claim 1 is not anticipated by *Otsuka*, and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b).

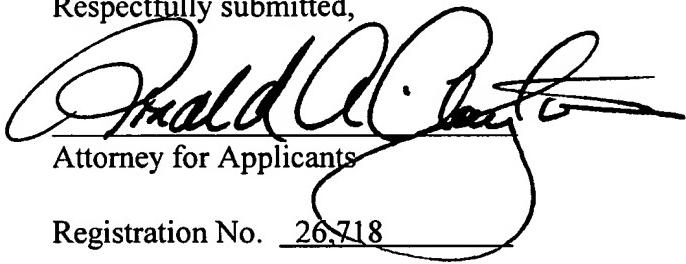
Independent Claims 6 and 15 are method and computer readable memory claims respectively corresponding to apparatus Claim 1, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1. Additionally, independent Claims 28 and 31-33 include features similar to those discussed above in connection with Claim 1. Accordingly, Claims 28 and 31-33 are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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